

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BEN SHALOM et al.

International Application No. PCT/IL03/00974

Serial No. NOT YET ASSIGNED

International Filing Date: 12 November 2003 (12 November 2003)

Filed: May 16, 2005

For: PERISTALTIC PUMP

PETITION UNDER 37 1.47 FOR FILING WHEN AN INVENTOR REFUSES TO SIGN

Commissioner for Patents

Attn: Petitions Examiner - PCT Legal

P.O. Box 1450

Alexandria, VA 22313-1450

05/01/2006 LLANDGRA 00000062 10535103

01 FC:1463 Sir: 200.00 OP

Petitioner, through the undersigned attorney, hereby requests that the that the executed signature by a person who was the CEO of the company through which the inventor was employed when he participated in the invention of the present application, may be allowed to make the application for patent on behalf of the non-signing inventor who refuses to sign.

The invention was described and filed as an international application PCT/IL2003/000947 with an international filing date of November 12, 2003. It subsequently entered the national stage in the U.S. under 37 U.S.C. 371 on May 16, 2005. Four inventors participated in the invention and three inventors signed the Declaration/Power of Attorney for the U.S. national phase. The fourth inventor refused to sign the Declarations/Power of Attorney that was presented to him as described below.

Statement of Facts:

- 1) The four inventors, Zvi BEN-SHALOM, Ori GOLDOR, Roni SHABAT

RECEIVED

28 JUN 2005

Legal Section

- and Shaul OZERI were employees of Q-Core Ltd. of Ramat Gan, Israel. Mr. Shaul OZERI was employed with Q-Core Ltd. from November 10, 2001 to August 20, 2003. Together, the four participated in the invention of the present application.
- 2) The present invention was filed as an international patent application PCT/IL2003/000947 on November 12, 2003 and subsequently entered the national stage in the U.S. on May 16, 2005 under 35 USC 371.
  - 3) On May 10, 2005 the Israeli law firm, Reinhold Cohn & Partners, in preparation for the U.S. national phase entry, sent a letter with enclosures to Mr. Eran Resheff, the CEO of Q-Core Ltd. Among the enclosures were the Declaration/Power of Attorney and Assignment documents. The letter and enclosures are labeled as "Attachment A".
  - 4) Mr. Resheff acknowledges receipt of the letter dated May 10, 2005 with the enclosures including the Declaration/Power of Attorney. He requested the four inventors, including Mr. Ozeri, sign the documents. Mr. Ozeri did not sign the documents. The remaining three inventors signed the documents as requested.
  - 5) Mr. Resheff asserts that he spoke several times to Mr. Ozeri about signing the documents and that Mr. Ozeri informed him that he "will not sign the two documents". Mr. Resheff's signed Declaration attesting to these facts is submitted herewith.
  - 6) Mr. Resheff, as the CEO of Q-Core Ltd., requests that Mr. Ozeri be declared a non-signing inventor of the present application. Mr. Resheff, has proprietary interest in this matter to justify such action, and wishes to make application on behalf of the non-signing inventor, Mr. Ozeri and has signed a Declaration to that effect.
  - 7) A patent attorney, Dr. Ben Spungin, for the Israeli firm, Reinhold Cohn and Partners, which represents Q-Core Ltd. states that his firm sent a letter and enclosures,

described above, to Mr. Eran Reshef, the CEO of Q-Core Ltd. on May 10, 2005, labeled as "Annex A".

- 8) On September 26, 2005 the U.S. Patent and Trademark Office issued a Notification of Missing Requirements to our firm, as the U.S. attorney representing the applicant in the present case. Our firm subsequently forwarded said Notification to Reinhold Cohn and Partners on September 30, 2006. Further reminder emails were sent monthly regarding the due date for the response.
- 9) Dr. Spugin further states that on November 14, 2005 a letter was mailed directly to Mr. Shaul OZERI at his home address via registered mail with return receipt, labeled as "Annex B".
- 10) Not having received a response from Mr. OZERI to the November 14, 2005 letter, the letter was sent again on December 14, 2005 by registered mail.
- 11) A report issued the Israel Postal Service shows that the letter dated November 14, 2005 was received by the Israel Postal Service on December 14, 2005 at 3:41 pm. The report further shows that this letter was delivered to the addressee, Mr. Ozeri on December 23, 2006 at 10:25, labeled as "Annex C".
- 12) Dr. Ben Spugin, for the Israeli Patent Firm Reinhold Cohn, attests to the facts above and request that Mr. Ozeri be declared as a non-signing inventor. Dr. Spugin's statement is attached herewith.

Items submitted herewith:

- (a) Transmittal Letter,
- (b) Copy of Notice of Missing Requirements,
- (c) Petition for 5 month Extension of Time,
- (d) **Petition Under 37 1.47 for Filing When an Inventor Refuses to Sign;**

- (e) Declaration by Mr. Eran Resheff, CEO of Q-core Ltd.
- (f) Declaration by Dr. Ben Spungin, patent attorney for Reinhold Cohn and Partners,
- (g) Annex A, letter to Mr. Resheff of Q-CORE LTD.,
- (h) Annex B, letter to Mr. Ozeri at his home address,
- (i) Annex C, report issued by Israel Postal Service,
- (j) Stamped filing receipt of items submitted for the U.S. National Phase Under 35 USC 371 on May 16, 2005,
- (k) Copy of executed declaration without fourth inventor's signature as submitted on May 16, 2005,
- (l) Assignment executed by three of the four inventors,
- (m) Check No. 2049 \$ 130.00 for Petition Fee Under 37 CFR 1.17(h);
- (n) Check No. 2050 \$ 1,080.00 for 5 month extension of time fee as a small entity;
- (o) Check No. 2051 \$ 65.00 for surcharge;
- (p) Check No. 2052 \$ 70.00 for increase in Petition Fee Under 37 CFR 1.17(h).

It is respectfully requested that Mr. Eran Resheff, CEO of Q-CORE LTD. be permitted to make application on behalf of the non-signing inventor, as Q-CORE LTD. has sufficient proprietary interest by virtue of the assignment executed by three of the four inventors and the fact that Mr. Ozeri was employed by Q-CORE LTD. when he participated in the invention. Submitted herewith is the proof of the pertinent facts.

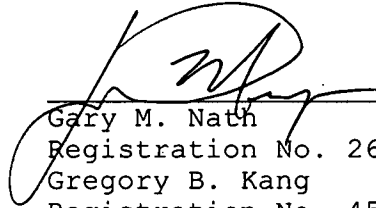
The last known address of the sole inventor, Mr. Shaul OZERI is:  
42 Gorinman Street, Ramat-Aviv, Tel Aviv 69971, ISRAEL.

Please note that a Preliminary Amendment to remove multiple dependencies was filed on May 16, 2005. Thus, applicant believes that no additional claims fee or multiple dependent surcharge is due for this application.

However, should there be any deficiency in fees or credit for any overpayment in connection with this matter, please charge to our deposit Account No. 14-0112.

Please direct any questions or comments to the undersigned attorney.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**



---

Gary M. Nath  
Registration No. 26,965  
Gregory B. Kang  
Registration No. 45,273  
Jerald L. Meyer  
Registration No. 41,194  
Customer No. 20529

Date: April 26, 2006  
NATH & ASSOCIATES PLLC  
112 South West Street  
Alexandria, VA 22314  
Phone: (703) 548-6284  
Fax: (703) 683-8396  
GMN/GBK/JLM/dd:Pet.1.47(b)NonSigningInv

# REINHOLD COHN & PARTNERS

## PATENT ATTORNEYS

— ESTABLISHED 1934 —

April 26, 2006

### DECLARATION

I, Mr. Eran Resheff, knowing that I must state the truth, and after having been warned of the possible consequences, should I fail to do, do hereby declare as follows:

1. I am the CEO of Q-Core Ltd., of Ramat Gan, Israel.
2. Mr. Shaul Ozeri was employed by Q-Core Ltd from 10/11/2001 to 20/08/03.
3. The invention disclosed in U.S. Patent Application 10/535,103 (hereinafter "*the present application*") was invented at Q-Core Ltd. During the period of his employment at Q-Core Ltd, Mr. Ozeri participated in the invention of the present application. Mr. Shaul Ozeri is one of four inventors of this invention.
4. I am submitting this Declaration in support of a Petition that Mr. Shaul Ozeri, be declared to be a non-signing inventor of the present application.
5. In May 2005, I received from the offices of Reinhold Cohn and Partners, Tel Aviv, Israel, a letter dated May 10, 2005. Enclosed with this letter were documents for execution. The documents for execution included a combined "*Declaration and Power of Attorney*" and an "*Assignment*" (hereinafter "*the two documents*"). The letter instructed me, *inter alia*, to have the two documents signed by the inventors.
6. In response to the May 10, 2005 letter from Reinhold Cohn and partners, I requested from each of the four inventors, including Mr. Ozeri, to sign the two documents.
7. To the best of my knowledge and belief, as of today, Mr. Ozeri has not yet signed the two documents. The remaining three inventors signed the two documents as requested in May 2005.
8. I have spoken several times to Mr. Ozeri about signing the two documents. Mr. Ozeri has informed me that he will not sign the two documents.

Dr. Reinhold Cohn  
1899-1973

Ilan Cohn, Ph.D. Biol.

David Glati,  
B.Sc. Chem., LL.B. Adv.

Jonathan J. Topper,  
M.A. Elec. Eng.

Ehud Hausman,  
M.Sc. Comp. Sci., LL.B. Adv.

David de Vries,  
B.Sc. Mech. Eng.

Ene Pügetsoh,  
M.Sc. Opt. Mech. Eng.

Doosmat Gonen, Ph.D. Biol.  
Managing Partner

Svetlana Stadler,  
M.Sc. Phys.

Ronit Barzik-Soffer,  
LL.B. Adv.

Yehuda Soniya,  
B.Sc. Aero. Eng.

Tamar Moreg - Sela,  
M.Sc. Chem.

Of Counsel:

Michael Cohn,  
Ph.D. Patent Attorney

Israel Shachler,  
B.Sc. Patent Attorney, EPA

Jonathan Palinkin,  
M.Sc. Biochem.

Odella W. Or-Paz,  
LL.M. Adv.

Ben Spungin,  
Ph.D. Biol. & Maths

Vigal Fraenkel, Ph.D. Chem.

Miri Lotan, Ph.D. Biol.

Eina Zilber, LL.B. Adv.  
B.Sc. Phys. & Maths

Shelly Zohar, LL.B. Adv.

Nick Kozlovich,  
Ph.D. Phys. & Maths

Susan E. Lifshitz, Ph.D.  
Biochem., Applied Chem.

Luiz Blanc, LL.B. Adv.

Orly Patz,  
M.Sc. Chem.

Itai Katzhandler,  
Ph.D. Pharm. Sci.

Ami Cohen, B.Sc. Biol.

Ronnie Benshefrit,  
B.Sc. Tox., Ph.D. Chem.

Ori Butberman, LL.B.

Iris Oron Cox, J.D.  
M.Sc. Biochem., Molec. Biol.

U.S. Patent Attorney  
U.S. Attorney (OR)

Emile Rabinovitch-Alpert,  
B. Eng. EE, MBA

U.S. Patent Agent

Gil Zecler, CPA, MBA,  
C.F.O., C.O.O.

Tel Aviv,  
Reinhold Cohn House:

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Tel: + 972 3 7109333

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Jerusalem, Shertav House:  
Tel: + 972 2 6518880

Website: [www.rcip.co.il](http://www.rcip.co.il)

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REINHOLD COHN  
GROUP  
— ESTABLISHED 1934 —  
REINHOLD COHN & PARTNERS



- 2 -

9. In view of the above, Mr. Ozeri was clearly presented with a request to sign the Assignment and combined Declaration and Power of Attorney, and has had ample time to comply with the request.
10. Accordingly, it is respectfully requested that Mr. Ozeri be declared a non-signing inventor of the present application.

  
Mr. Eran Resheff, CEO  
Q-core Ltd. 5713 719-119  
Q CORE LTD

Date: April 26, 2006

REINHOLD COHN  
& PARTNERS  
PATENT ATTORNEYS  
— ESTABLISHED 1934 —

April 26, 2006

DECLARATION

I, Dr. Ben Spungin, knowing that I must state the truth, and after having been warned of the possible consequences, should I fail to do, do hereby declare as follows:

1. I am a patent attorney employed by the office of Reinhold Cohn and Partners of Tel Aviv, Israel.
2. Our Office has been informed by Q-Core Ltd., of Ramat Gan, Israel that Mr. Shaul Ozeri is one of four inventors of the invention disclosed in U.S. Patent Application 10/535,103 (hereinafter "*the present application*").
3. I am submitting this Declaration in support of a Petition that Mr. Shaul Ozeri, be declared to be a non-signing inventor of the present application.
4. On May 10, 2005, our office sent a letter to Mr. Eran Reshef, the CEO of Q-Core Ltd. A copy of this letter and its enclosures is attached herewith and labeled as "*Annex A*".
5. Among the enclosures sent with the letter of May 10, 2005 were documents for execution. The documents for execution included a combined "*Declaration and Power of Attorney*" and an "*Assignment*". The letter instructed Mr. Reshef, *inter alia*, to have these two documents signed by the inventors.
6. To the best of my knowledge and belief, as of today, Mr. Ozeri has not yet signed the two documents. The remaining three inventors signed the two documents as requested in May 2005.
7. A letter from our office addressed to Mr. Ozeri and dated November 14, 2005 is attached herewith and labeled as "*Annex B*". The letter requests Mr. Ozeri to sign the Assignment and Combined Declaration and Power of Attorney. This letter was sent by registered mail.

Dr. Reinhold Cohn  
1899-1973

Ilan Cohn, Ph.D. Biol.

David Gilat,  
B.Sc. Chem., LL.B, Adv.

Jonathan J. Topper,  
M.A. Elec. Eng.

Ehud Hausman,  
M.Sc. Comp. Sci., LL.B, Adv.

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Yehuda Seruya,  
B.Sc. Aero. Eng.

Tamar Morag - Sela,  
M.Sc. Chem.

Of Counsel:  
Michael Cohn,  
Ph.D. Patent Attorney

Israel Shachter,  
B.Sc. Patent Attorney, EPA

Jonathan Patinkin,  
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B.Sc. Tox., Ph.D. Chem.

Ori Buberhan, LL.B.

Iris Oren Cox, J.D.  
M.Sc. Biochem, Molec, Biol.  
U.S. Patent Attorney  
U.S. Attorney (OR)

Emilie Rabinovitch-Alpert  
B. Eng. EE., MBA,  
U.S. Patent Agent

Gil Zecler, CPA., MBA.,  
C.F.O., C.O.O.

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REINHOLD COHN  
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REINHOLD COHN & PARTNERS  
GILAT, BAREKET & CO.



8. Not having received a response from Mr. Ozeri to our November 14, 2005 letter, the letter was sent again to Mr. Ozeri on December 14, 2005 by registered mail.
9. A Report issued by the Israel Postal Service relating to the second sending of the November 14, 2005 letter (hereinafter "*the Report*") is attached herewith and labeled as "*Annex C*".
10. The Report shows that the letter dated November 14, 2005 was received by the Israel Postal Service on December 14, 2005 at 3: 41 pm. The Report further shows that this letter was delivered to the addressee on December 23, 2006 at 10: 25 am. The addressee of the letter is Mr. Ozeri.
11. To the best of my knowledge and belief, as of this date, Mr. Ozeri has not yet signed the documents he was requested to sign in our November 14, 2005 letter.
12. In view of the above, Mr. Ozeri was clearly presented with a request to sign the Assignment and combined Declaration and Power of Attorney, and has had ample time to comply with the request.
13. Accordingly, it is respectfully requested that Mr. Ozeri be declared a non-signing inventor of the present application.

  
Dr. Ben Spungin

April 26, 2006  
Date

REINHOLD COHN  
& PARTNERS

PATENT ATTORNEYS

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Shulamit Hirsch,  
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M.Sc. Chem.  
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M.Sc. Chem.  
Vladimir Alanassov,  
M.Sc. Hydro. & Aerodynamics  
Itzhak Izhendler,  
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B.Sc. Tox., Ph.D. Chem.

Gil Zecler, Cpa., MBA.,  
C.F.O., C.O.O.

Oleg Korshunov,  
M.Sc. Phys. Patent Attorney  
Consultant

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Tel: + 972 2 6518880

Website: [www.rcip.co.il](http://www.rcip.co.il)

E-mail: [info@rcip.co.il](mailto:info@rcip.co.il)



May 10, 2005

EMAIL TRANSMISSION

TO: [eran@q-core.co.il](mailto:eran@q-core.co.il)

Confirmation copy by mail

Annex A

Q-CORE Ltd.  
"Beit Legav"  
24 Ben Gurion St.  
Ramat Gan 52573

Attention: Mr. Eran Reshef

Dear Mr. Reshef,

**Re: New Patent Application in the U. S. A.  
National Phase Application of PCT/IL03/00947  
"Peristaltic pump"  
In the name of Q-CORE Ltd.  
Inventors: Zvi BEN-SHALOM, Ori GOLDOR, Roni  
SHABAT and Shaul OZERI  
Our Ref: 160158-2 BS/il**

Thank you very much for your instructions of yesterday to Dr. Ben Spungin, in accordance with which we are now preparing the above new patent application.

Enclosed please find an on-account debit note for our associates' approximate charges.

**In accordance with our standing procedures, we ask to kindly take care of this payment without delay, and before we file the above application.**

Also enclosed the following documents for execution:

- Declaration and Power of Attorney – to be signed by the inventors.
- Assignment – to be signed by the inventors and two witnesses.
- Small Entity Statement – to be signed by the applicant, if appropriate

Kindly have the above documents signed and dated (in **blue ink**), and forward them to us, a copy by fax and the originals by mail, as soon as possible. We may be able to save few hundred dollars in filing fees if we submit the document when filing the application.

We should like to thank you for entrusting the filing and prosecution of the above application to our care.

Yours very truly,  
**REINHOLD COHN AND PARTNERS**  
By:

Ms. Ilanit Lachman  
Administrator Foreign Filing - Patents

IL

01601582\6-01

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GROUP  
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A.Sc. Opt. Mech. Eng.  
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Managing Partner  
Ivella Shtadler,  
A.Sc. Phys.  
Ronit Barzik-Soffer,  
L.B., Adv.  
Ehuda Seruya,  
3.Sc. Aero. Eng.  
Of Counsel:  
Michael Cohn,  
Patent Attorney  
Shachter,  
3.Sc. Patent Attorney, EPA

Jonathan Patinkin,  
3.Sc. Biochem.  
Delia W. Or-Paz,  
L.M., Adv.  
Eli Spungin,  
Ph.D. Biol. & Maths.  
Tigal Fraenkel, Ph.D. Chem.  
Amar Morag - Sela,  
3.Sc. Chem.  
Daniella Atzmony,  
Ph.D. Biol., LL.B, Adv.  
Chelly Zohar, LL.B., Adv.  
Inav Zilber, LL.B. Adv.  
3.Sc. Phys. & Maths.  
Nick Kozlovich,  
Ph.D. Phys. & Maths.  
Guiz Blanc, LL.B., Adv.  
Irit Patz,  
3.Sc. Chem.  
At Katzhendler,  
Ph.D. Pharm. Sci.  
Cohen, B.Sc. Biol.  
Benshafrut  
3.Sc. Tox., Ph.D. Chem.  
Oren Cox, J.D.,  
US PTO., US Attorney(OR)  
Zedler, CPA., MBA.,  
F.O., C.O.O.  
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consultant

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Website: [www.rcip.co.il](http://www.rcip.co.il)  
E-mail: [info@rcip.co.il](mailto:info@rcip.co.il)



November 14, 2005

OZERI Shaul  
42 Gorinman Street  
Ramat-Aviv  
Tel Aviv 69971

Annex B

Via registered  
mail  
with return  
receipt

Dear Mr. Ozeri,

Re: U.S. Patent Application No. 10/535,103  
"Peristaltic pump"  
in the name of Q-CORE Ltd.  
Inventors: Zvi BEN-SHALOM, Ori GOLDOR, Roni  
SHABAT and Shaul OZERI  
Our Ref: 160158-2 BS/ys

Upon review of our file we found that we are still missing your signatures on the *Assignment* and the *Combined Declaration and Power of Attorney* forms for the above application.

In this connection, we enclosed herewith copies of the above mentioned forms, which we ask that you sign and date in the spaces provided. Kindly return the original executed forms to us by **November 28, 2005**. For your convenience, we have enclosed a postage- prepaid envelope.

Also enclosed is a copy of the PCT Publication, amended claims annexed to the International Preliminary Examination Report and a copy of the claims as filed upon entry into the National Phase in the USA.

We thank you in advance for your cooperation with this matter and look forward to receiving the above forms shortly.

Yours very truly,  
**REINHOLD COHN AND PARTNERS**  
By:

Yuval Sharon  
Administrator Foreign Filing - Patents

YS/Encl.  
Direct Phone: 03-7109312  
Direct Fax: 03-7109407  
E-mail: [yusharon@rcip.co.il](mailto:yusharon@rcip.co.il)

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REINHOLD COHN  
GROUP  
— ESTABLISHED 1934 —  
REINHOLD COHN & PARTNERS  
GILAT, BAREKET & CO.

Annex C

ברקוד פריט / שק: RA098880947IL

סוג פריט: רשום עם אישור מסירה

פעולה: סוג יחידה יחידת דואר ברקוד שק

14/12/2005 15:41:16

נקלט בצומת  
סניף  
מקוה ישראל  
שם מבצע:

15/12/2005 04:21:33

שיוך לאזור-97  
מ"ר דוורים תל אביב  
שם מבצע: זהבה טובוק

15/12/2005 08:45:41

מיון לאזור-97  
מ"ר דוורים תל אביב  
שם מבצע: שמיר אריאל

15/12/2005 08:46:32

הופק 517 לאזור - 97 א ע"י שמש יוסף  
מ"ר דוורים תל אביב  
שם מבצע: שמיר אריאל

15/12/2005 13:15:39

הודעה ראשונה - הועבר למסירה באשכול ע"י שמש יוסף  
מ"ר דוורים תל אביב  
שם מבצע: רמי משטה

15/12/2005 16:36:56

יציאה - סניף - רמת אביב  
RD023164064IL מ"ר דוורים תל אביב  
שם מבצע: ואנה מיכל

15/12/2005 16:38:34

הופק 517 מ ליחידה - סניף - רמת אביב  
RD023164064IL מ"ר דוורים תל אביב  
שם מבצע: ואנה מיכל

23/12/2005 10:25:28

נמסר - נמסר לנמען  
סניף  
רמת אביב  
שם מבצע: מזל אוחיון

MAIL STOP PCT-MISSING PARTS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: : Group Art Unit: unknown  
BEN SHALOM et al. : Examiner: unknown  
Serial No. 10/535,103 :  
Filed: May 16, 2005 :  
For: PERISTALTIC PUMP : Atty Docket: 26784U  
:  
:  
:

PETITION FOR EXTENSION OF TIME UNDER 37 CFR § 1.136

and

FEE PAYMENT AUTHORIZATION UNDER 37 CFR § 1.17

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

SMALL ENTITY

Pursuant to 37 CFR §§ 1.17, 1.136, applicant(s), a qualified SMALL ENTITY, hereby petition(s) for an extension of time as follows:

- ☐ One-month extension of time to respond to the Office Action dated \_\_\_\_\_ (\$60.00 fee)  
☐ Two-month extension of time to respond to the Office Action dated \_\_\_\_\_ (\$225.00 fee)  
☐ Three-month extension of time to respond to the Office Action dated \_\_\_\_\_ (\$510.00 fee)  
☐ Four-month extension of time to respond to the Office Action dated \_\_\_\_\_ (\$795.00 fee)  
☒ Five-month extension of time to respond to the Office Action dated 09/26/2005 (\$1,080.00 fee)

- ☒ A check including the above-indicated amount is enclosed. If extensions of time under 37 CFR § 1.136 other than those provided herewith are required to allow consideration of papers accompanying this Petition, then such extensions of time are hereby petitioned. The Commissioner is hereby authorized to charge fee deficiency under 37 CFR §§ 1.16 or 1.17, or credit any overpayment, to Deposit Account No. 14-0112.

05/01/2006 LLANDGRA 00000062 10535103

02 FC:2255

1080.00 OP

Respectfully submitted,  
NATH & ASSOCIATES PLLC

Date: April 26, 2006  
NATH & ASSOCIATES PLLC  
112 South West Street  
Alexandria, VA 22314  
(202) 775-8383

By: 

Gary M. Nath  
Registration No. 26,965  
Jerald L. Meyer  
Registration No. 41,194  
Customer No. 20529

10/535103

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BEN SHALOM et al.

International Application Number: PCT/IL2003/000947

Serial Number: NOT YET ASSIGNED

International Filing Date: 12 November 2003 (12.11.2003)

Filing Date: May 16, 2005

Title: **PERISTALTIC PUMP**

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Transmittal Letter,
- 2) Copy of Notice of Missing Requirements,
- 3) Petition for 5 month Extension of Time,
- 4) **Petition Under 37 1.47 for Filing When an Inventor Refuses to Sign;**
- 5) Declaration by Mr. Eran Resheff, CEO of Q-core Ltd.
- 6) Declaration by Dr. Ben Spungin, patent attorney for Reinhold Cohn and Partners,
- 7) Annex A, letter to Mr. Resheff of Q-CORE LTD.,
- 8) Annex B, letter to Mr. Ozeri at his home address,
- 9) Annex C, report issued by Israel Postal Service,
- 10) Stamped filing receipt of items submitted for the U.S. National Phase Under 35 USC 371 on May 16, 2005,
- 11) Copy of executed declaration without fourth inventor's signature as submitted on May 16, 2005,
- 12) Assignment executed by three of the four inventors,
- 13) Check No. 2049 \$ 130.00 for Petition Fee Under 37 CFR 1.17(h);
- 14) Check No. 2050 \$ 1,080.00 for 5 month extension of time fee as a small entity;
- 15) Check No. 2051 \$ 65.00 for surcharge;
- 16) Check No. 2052 \$ 70.00 for increase in Petition Fee Under 37 CFR 1.17(h).

05/01/2006 LLANDGRA 00000062 10535103

03 FC:2617

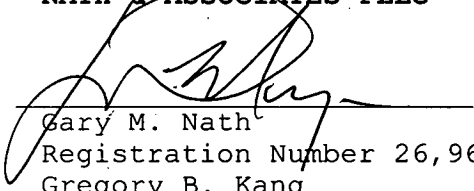
65.00 OP

Date: April 26, 2005

**NATH & ASSOCIATES PLLC**  
112 South West Street  
Alexandria, VA 22314  
703-548-6284

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

By:

  
Gary M. Nath  
Registration Number 26,965  
Gregory B. Kang  
Registration Number 45,273  
Jerald L. Meyer  
Registration Number 41,194





## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/535,103	Zvi Ben Shalom	26784U

20529  
 NATH & ASSOCIATES  
 1030 15th STREET, NW  
 6TH FLOOR  
 WASHINGTON, DC 20005

INTERNATIONAL APPLICATION NO.	
PCT/IL03/00947	
I.A. FILING DATE	PRIORITY DATE
11/12/2003	11/14/2002

CONFIRMATION NO. 3580

371 FORMALITIES LETTER



\*OC000000017087521\*

Date Mailed: 09/26/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 05/16/2005
- Copy of the International Search Report filed on 05/16/2005
- Copy of IPE Report filed on 05/16/2005
- Copy of Annexes to the IPE filed on 05/16/2005
- Oath or Declaration filed on 05/16/2005
- Request for Immediate Examination filed on 05/16/2005
- U.S. Basic National Fees filed on 05/16/2005
- Assignment filed on 05/16/2005
- Priority Documents filed on 05/16/2005
- Specification filed on 05/16/2005
- Claims filed on 05/16/2005
- Drawings filed on 05/16/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$230 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does

not comply with 37 CFR 1.497(a) and (b) in that it:

- is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$295** for a Small Entity:

- **\$65** Surcharge.
- Total additional claim fee(s) for this application is **\$ 230**
  - **\$50** for 2 total claims over 20.
  - **\$180** for multiple dependent claim surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAYA L LEWIS BALTIMORE

Telephone: (703) 308-9140 EXT 202

#### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/535,103	PCT/IL03/00947	26784U